

DAUGHERTY v. EQUIFAX INFORMATION SERVICES

WITNESS: DAVID M. DAUGHERTY

DATE: JUNE 17, 2015

EXHIBITS 1, 4-8, 11



**VERITEXT LEGAL SOLUTIONS
330 OLD COUNTRY ROAD, SUITE 300
MINEOLA, NY 11501**

**1250 BROADWAY, SUITE 2400
NEW YORK, NY 10001
800-727-6396**

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

DAVID M. DAUGHERTY,

Plaintiff,

v.

CIVIL ACTION NO. 14-C-679-K

EQUIFAX INFORMATION
SERVICES, LLC, and OCWEN
LOAN SERVICING, LLC,

Defendants.

COMPLAINT

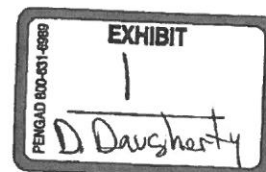
1. After Plaintiff David M. Daugherty applied to refinance his mortgage loan in order to make a scheduled balloon payment, Defendants Equifax Information Services, LLC, and Ocwen Loan Servicing, LLC, continued to report that he was seriously delinquent on his mortgage loan. Plaintiff brings this action for actual, statutory, and punitive damages, costs and attorney's fees, pursuant to 15 U.S.C. § 1681, *et seq.* (Federal Fair Credit Reporting Act) and for other relief under the West Virginia Consumer Credit and Protection Act.

PARTIES

2. Plaintiff David M. Daugherty is a West Virginia resident. He is a "consumer" as defined by 15 U.S.C. § 1681a(c) and by *West Virginia Code* 46A-2-122.

3. (a) Defendant Equifax Information Services, LLC ("Equifax"), is a Georgia limited liability company registered to do business in West Virginia with its principal office address in Georgia.

(b) Upon information and belief, Equifax is a "consumer reporting agency," as defined in 15 U.S.C. § 1681a(f). Upon information and belief, Equifax is regularly engaged in the business of assembling, evaluating, and disbursing information concerning consumers for the



purpose of furnishing consumer reports, as defined in 15 U.S.C. § 1681a(d), to third parties.

(c) Upon information and belief, Equifax disburses such consumer reports to third parties under contract for monetary compensation.

4. Defendant Ocwen Loan Servicing, LLC, ("Ocwen") is a Delaware limited liability company registered to do business in West Virginia with a principal office in West Palm Beach, Florida.

STATEMENT OF FACTS

Loan

5. Plaintiff David M. Daugherty has a mortgage loan that matures in July 2014 with a balloon payment due at that time in the amount of approximately \$80,000.00.

6. Ocwen is the servicer of Plaintiff's mortgage loan.

7. While seeking to refinance his mortgage to avoid the balloon payment, Plaintiff encountered problems securing a new loan due to his credit. Plaintiff investigated and obtained a credit report in January 2014.

8. Plaintiff discovered that Ocwen had reported to Equifax his loan as 120 days delinquent in March 2013, June 2013, July 2013, October 2013, December 2013, and January 2014.

9. Plaintiff also discovered that Ocwen reported to Equifax that he had a past due balance of \$6,128.00.

10. Plaintiff disputed the reported delinquencies, and on March 14, 2014, Plaintiff's Equifax noted on his credit report that "Consumer disputes - reinvestigation in progress."

11. On March 17, 2014, Plaintiff disputed the reports in a letter to Ocwen.

12. On March 17, 2014, Plaintiff explicitly disputed Ocwen's delinquency in a letter to Equifax.

13. Equifax never responded to this dispute.
14. Plaintiff retained the services of a credit repair company, who disputed Plaintiff's reported delinquencies on his behalf to each of the major credit reporting bureaus.
15. On March 24, 2014, Equifax responded to Plaintiff's credit repair company's dispute by noting, "[w]e have researched the credit account. Account # 709224*. The results are: We verified this item belongs to you. If you have additional questions about this item please contact: Ocwen..."
16. Equifax continued to report the Plaintiff's mortgage loan delinquent, noting "foreclosure process started."
17. Plaintiff was 30 days late in his payment to Ocwen in March 2013. Ever since, Plaintiff has made timely payments to Ocwen.
18. Plaintiff does not owe any arrearages to Ocwen.
19. Despite his disputes to Equifax and to Ocwen, Equifax continues to list negative reports to Plaintiff's account with Ocwen, as recently as May 1, 2014.
20. As a result of Defendants' conduct, Plaintiff has been unable to refinance his mortgage and faces the prospect that he will lose his home when he is unable to make a balloon payment.
21. As a result of Defendants' conduct, Plaintiff suffered loss of credit; loss of the ability to purchase and benefit from credit; increased insurance rates; increased interest rates; and the mental and emotional pain, anguish, humiliation, and embarrassment of credit denials.

COUNT I - FAILURE TO REINVESTIGATE

22. Plaintiff incorporates all of the preceding paragraphs by reference.
23. Defendant Equifax failed to conduct a reasonable reinvestigation of the information

in Plaintiff's credit file after receiving actual notice of inaccuracies; failed to delete inaccurate information upon actual notice of inaccuracies; failed to maintain reasonable procedures with which to filter and verify disputed information in Plaintiff's credit file; and relied upon verification from a source it has reason to know is unreliable, in violation of 15 U.S.C. § 1681i.

24. Defendant's conduct, action, and inaction was willful, or, in the alternative, negligent.

25. Plaintiff was harmed by Defendant's conduct, action, and inaction.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate statutory penalties for each violation of the FCRA;
- (b) Actual damages;
- (c) Punitive damages;
- (d) Reasonable attorney's fees and the costs of this litigation;
- (e) Pre-judgment and post-judgment interest at the legal rate;
- (f) Appropriate equitable relief, including the correction of Plaintiff's credit score; and
- (g) Such other relief as the Court deems equitable, just, and proper.

COUNT II - FAILURE TO ASSURE ACCURACY

26. Plaintiff incorporates all of the preceding paragraphs by reference.

27. Defendant Equifax failed to establish or follow reasonable procedures to assure maximum possible accuracy in the preparation of the credit report and credit files maintained and published concerning Plaintiff, in violation of 15 U.S.C. § 1681e(b).

28. Defendant's conduct, action, and inaction was willful, or, in the alternative, negligent.

29. Plaintiff was harmed by Defendant's conduct, action, and inaction.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate statutory penalties for each violation of the FCRA;
- (b) Actual damages;
- (c) Punitive damages;
- (d) Reasonable attorney's fees and the costs of this litigation;
- (e) Pre-judgment and post-judgment interest at the legal rate;
- (f) Appropriate equitable relief, including the correction of Plaintiff's credit score; and
- (g) Such other relief as the Court deems equitable, just, and proper.

COUNT III - REPORTING INFORMATION WHICH IT CANNOT VERIFY

- 30. Plaintiff incorporates all of the preceding paragraphs by reference.
- 31. Defendant Equifax failed to delete the negative reports regarding Plaintiff's mortgage loan from the credit report and credit files maintained and published concerning Plaintiff after a reinvestigation would have found the mortgage loan to be current, in violation of 15 U.S.C. § 1681i(a)(5).
- 32. Defendant's conduct, action, and inaction was willful, or, in the alternative, negligent.
- 33. Plaintiff was harmed by Defendant's conduct, action, and inaction.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate statutory penalties for each violation of the FCRA;
- (b) Actual damages;
- (c) Punitive damages;
- (d) Reasonable attorney's fees and the costs of this litigation;
- (e) Pre-judgment and post-judgment interest at the legal rate;
- (f) Appropriate equitable relief, including the correction of Plaintiff's credit

score; and

(g) Such other relief as the Court deems equitable, just, and proper.

COUNT IV: FAILURE TO INVESTIGATE (OCWEN)

34. Plaintiff realleges and incorporates paragraphs 1 through 29 above as if fully set out herein.

35. On one or more occasions within the two years prior to the filing of this suit, by example only and without limitation, Ocwen violated the Fair Credit Reporting Act, 15 U.S.C. §1681s-2(b)(1)(A) by failing to fully and properly investigate the Plaintiff's disputes of the representations.

36. As a result of this conduct, action and inaction of Ocwen, the Plaintiff suffered actual damages including without limitation, by example only and as described herein on Plaintiff's behalf by counsel: loss of credit, damage to reputation, embarrassment, humiliation and other emotional and mental distress.

37. Ocwen's conduct, action and inactions were willful, rendering Ocwen liable for punitive damages in an amount to be determined by the Court pursuant to 15 U.S.C. §1681n. In the alternative, Ocwen was negligent, entitling the Plaintiff to recover under 15 U.S.C. §1681o.

38. The Plaintiff is entitled to recover actual damages, statutory damages, costs and attorneys fees from Ocwen in an amount to be determined by the Court pursuant to 15 U.S.C. §1681n and §1681o.

COUNT V – ILLEGAL DEBT COLLECTION (OCWEN)

39. The Plaintiff incorporates by reference the preceding paragraphs.

40. The Defendant Ocwen Loan Servicing in attempting to collect a debt or obtain information on numerous occasions misrepresented the amounts due against the Plaintiff in violation of *West Virginia Code* section 46A-2-127(d).

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Actual damages;
- (b) Civil penalties of \$4,600 for each violation pursuant to *West Virginia Code* sections 46A-5-101(1) & 106.
- (c) Reasonable attorneys fees and the costs of this litigation; and
- (d) Such other relief as the Court deems equitable and just.

COUNT VI - NEGLIGENCE

41. Plaintiff incorporates the preceding paragraphs by reference.

42. Under the circumstances alleged, in which Defendants engaged in significant communications and activities with Plaintiff and the loan thereby creating a special relationship with Plaintiff, Defendants owed a duty to Plaintiff to provide him with accurate information about his loan account and its obligations and rights thereunder.

43. Defendants breached that duty by refusing to respond to Plaintiff's inquiries, by acknowledging the blatant inaccuracies contained in Plaintiff's credit report but refusing to redress the inaccuracies, advising Plaintiff to contact the other Defendant instead of taking steps to address the issue, and ultimately denying Plaintiff assistance.

44. Plaintiff was damaged by Defendants' misconduct by the severely negative credit reporting that made it impossible for Plaintiff to refinance his loan.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate equitable relief;

- (b) Actual damages;
- (c) Reasonable attorney's fees and the cost of this litigation; and
- (d) Such other relief the Court deems equitable and just.

COUNT VII – TORT OF OUTRAGE

- 45. Plaintiff incorporates the preceding paragraphs by reference.
- 46. Defendant's conduct, namely, repeatedly misstating the amounts due, reporting gross inaccuracies when Plaintiff's account was current to credit bureaus, refusing to assist Plaintiff to rectify the gross inaccuracies, and preventing Plaintiff from protecting his home from foreclosure when his account was current, was atrocious, intolerable, and exceeded the bounds of decency.
- 47. Defendants were substantially certain that emotional distress would follow from their conduct.
- 48. Defendants' actions caused Plaintiff to suffer severe emotional distress.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate equitable relief;
- (b) Actual and punitive damages;
- (c) Reasonable attorney's fees and the cost of this litigation; and
- (d) Such other relief the Court deems equitable and just.

COUNT VIII - EQUITY ABHORS A FORFEITURE

- 49. Plaintiff incorporates the preceding paragraphs by reference.
- 50. Defendants have and have had the ability to correct Plaintiff's credit inaccuracies and allow Plaintiff the opportunity to refinance and protect his home.
- 51. Defendants are seeking forfeiture of his equity in his home.

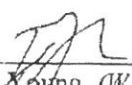
52. Defendants have refused to exercise due diligence and good faith to correct the gross inaccuracies in Plaintiff's credit report, and instead have wrongfully reported Plaintiff's credit scores so egregiously that he cannot obtain credit to refinance his home elsewhere and will certainly lose his home.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) Appropriate equitable relief;
- (b) Such other relief as the Court deems equitable and just.

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

Plaintiff,
DAVID M. DAUGHERTY



Ralph C. Young (W. Va. Bar #4176)
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Hamilton, Burgess, Young & Pollard, pllc
Counsel for Plaintiff
P O Box 959
Fayetteville, WV 25840
304-574-2727

TRADE

AUTOMATED CONSUMER DISPUTE VERIFICATION

EQUIFAX CREDIT INFORMATION SERVICES

Control Number	99993151006543102	Dispute 1	[001] NOT HIS/HERS. PROVIDE COMPLETE ID
Origin NCRA	EXX	Bureau Code	9999
Date Created	05/31/2013	Response Due	06/22/2013
Subscriber Code	465801690	Dispute 2	
Account Number	7092344537	FCRA Relevant Information	
Geographic	Owen Loan Servicing, LLC		
Response Name	Daniel John		
Response Phone	561-682-7675	Response Date	06/02/2013
Response Code	<input checked="" type="checkbox"/> Verified As Reported	<input type="checkbox"/> Modify As Shown	<input type="checkbox"/> Delete Account
	<input type="checkbox"/> Delete Fraud		

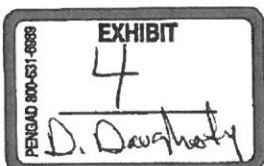
Reported Consumer Identity		Same		Modified Consumer Identity	
Name	DAUGHERTY DAVID MAX	<input checked="" type="checkbox"/>	Name	DAUGHERTY DAVID	
AKA/FN		<input type="checkbox"/> <th>AKA/FN</th> <td></td> <td></td>	AKA/FN		
Addr	35 VALLEY VIEW DR. 35, VIENNA, WV 26105	<input type="checkbox"/> <th>Addr</th> <td>35 VALLEY VIEW DR., VIENNA, WV 26105</td> <td></td>	Addr	35 VALLEY VIEW DR., VIENNA, WV 26105	
Prev PO BOX	816, PARKERSBURG, WV 26102	<input type="checkbox"/> <th>Prev</th> <td></td> <td></td>	Prev		
SSN	232-04-9020	<input checked="" type="checkbox"/> <th>SSN</th> <td>232-04-9020</td> <td></td>	SSN	232-04-9020	
DOB	12/14/1957	<input type="checkbox"/> <th>DOB</th> <td></td> <td></td>	DOB		
Phone	304-295-6161	<input type="checkbox"/> <th>Phone</th> <td></td> <td></td>	Phone		

Account Type	ECOA	Date Open	Type & Rate	Rate	Narratives
26	I	07/1999	M-	[271]	
Credit Limit	\$100860	High Credit	Current Balance	\$83111	Paid Due
Original Charge-Off	Date 1st Delinquency	Last Payment Date	Date Closed		
		01/2013			
[1] Invalid activity design '1'	Activity Designator	Creditor Classification	Purchased / Sold To Name / Original Creditor	Purchase Indicator	Mortgage Id Number
Terms Duration	30	Term Frequency	Sched Monthly Pmt	\$980	Actual Payment
	[M] Monthly			\$980	Deferred Pay Start Date
Date of Account Info	Pmt Hist Months 1-12	Pmt Hist Months 13-24	Pmt Hist Months 25-35	Pmt Hist Months 36-48	Pmt Hist Months 49-60
01/2013	--D000000010	4323R----	-----	-----	-----
Consumer Info Initiator					
Compliance Condition Code					
Special Comment Code					
Account Status	[11] Current account				
Payment Rating	[0] Current account				

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EQUIFAX CREDIT INFORMATION SERVICES

Control Number	99993151006543103	Dispute #	[001] NOT HIS/HERS. PROVIDE COMPLETE ID
Original NCRA	EXP	Bureau Code	9999
Date Created	05/31/2013	Response Due	06/22/2013
Subscriber Code	465F801690	Dispute 2	
Account Number	7092244537	FCRA Relevant Information	
Grantor Name	Owens Loan Servicing, LLC		
Responsible Name	Daniel John		
Response Phone	561-682-7675	Response Date	06/02/2013
Response Code	<input checked="" type="checkbox"/> Verified As Reported	<input type="checkbox"/> Delete Account	<input type="checkbox"/> Delete Fraud

Reported Consumer Identity		Same		Modified Consumer Identity	
Name	DAUGHERTY DAVID MAX	Name	DAUGHERTY DAVID	AKA/FN	
AKA/FN		AKA/FN		AKA/FN	
Addr	35 VALLEY VIEW DR. 35, VIENNA, WV 26105	Addr	35 VALLEY VIEW DR, VIENNA, WV 26105	Addr	
Prev	PO BOX 816, PARKERSBURG, WV 26102	Prev		Prev	
SSN	232-04-9020	SSN	232-04-9020	SSN	
DOB	12/14/1957	DOB		DOB	
Phone	304-295-6161	Phone		Phone	

Account Type	ECOA	Date Open	08/1999	Type & Rate	M-	Rate	(451) (1272)	Revolvers
Credit Limit	\$100813	High Credit	\$85639	Current Balance	\$6128	Paid Due		
Original Charge-Off	10/2011	Date 1st Delinquency	01/2012	Last Payment Date		Date Closed		
Activity Designator	[2] Invalid activity design	Credit Classification		Purchased/Sold To Name / Original Creditor		Purchase Indicator		Mortgage Id Number
Terms Duration	30	Term Frequency	Monthly	Sched Monthly Pmt	\$1077	Actual Payment	\$200	Deferred Pay Start Date
Date of Account Info	03/2013	Pmt Hist Months 1-12	----	Pmt Hist Months 13-24	----	Pmt Hist Months 25-36	----	Pmt Hist Months 37-48
Consumer Info Indicator		Pmt Hist Months 49-60	----	Pmt Hist Months 61-72	----	Pmt Hist Months 73-84	----	
Compliance Condition Code								
Special Comment Code	[B0] Foreclosure proceedings started							
Account Status	[82] Account 120 days past the due date							
Payment Rating								

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EQUIFAX CREDIT INFORMATION SERVICES

Control Number	99993184007014103	Dispute 1	[001] NOT HIS/HERS. PROVIDE COMPLETE ID
Origin (ICSA)	EPX	Bureau Code	9999
Date Created	07/03/2013	Response Due	07/24/2013
Subscriber Code	465FS01690	Dispute 2	
Account Number	7092244537	FCRA Relevant Information	
Grantor Name	Owens Loan Servicing, LLC		
Respondent Name	Raj Kumar		
Response Phone	561-682-7675	Response Date	07/05/2013
Response Code	<input checked="" type="checkbox"/> Verified As Reported	<input type="checkbox"/> Modify As Shown	<input type="checkbox"/> Delete Account
	<input checked="" type="checkbox"/> Deleted As Reported	<input type="checkbox"/> Deleted As Shown	<input type="checkbox"/> Delete Fraud

Reported Consumer Identity		Modified Consumer Identity	
Name	DAUGHERTY DAVID MAX	Name	DAUGHERTY DAVID
AKA/FN		AKA/FN	
Addr	35 VALLEY VIEW DR 35, VIENNA, WV 26105	Addr	35 VALLEY VIEW DR, VIENNA, WV 26105
Prev PO Box	816, PARKERSBURG, WV 26102	Prev	
SSN	232-04-9020	SSN	232-04-9020
DOB	12/14/1957	DOB	
Phone	304-295-6161	Phone	304-295-6161

Account Type	ECO4	Date Open	08/1999	Type & Rate	M-	Narratives
08	I					[451] [272]
Credit Limit		High Credit		Current Balance		
		\$100813		\$85619		
Original Charge-Off		Date 1st Delinquency	10/2011	Last Payment Date	01/2012	
Activity Designator	Invalid activity design '2'	Activity Classification		Creator Classification		
Terms Duration	30	Term Frequency	[M] Monthly	Sched Monthly Pmt	\$1077	
Date of Account Info	06/2013	Pmt Hist Months 1-12	-DD4DDDDDDDD	Pmt Hist Months 13-24	DDDD323B----	
Consumer Info Indicator						
Compliance Condition Code						
Special Comment Code	[B0] Foreclosure proceedings started					
Account Status	[82] Account 120 days past the due date					
Payment Rating						

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EQUIFAX CREDIT INFORMATION SERVICES

Control Number	99993184007034101	Dispute 1	[001] NOT HIS/HERS. PROVIDE COMPLETE ID
Origin NCRA	EPK	Bureau Code	9999
Date Created	07/03/2013	Response Due	07/24/2013
Subscriber Code	605FMS0178	Dispute 2	
Account Number	12907408	FCRA Relevant Information	
Grantor Name	Owen Loan Servicing, LLC		
Responder Name	Shalini Singh		
Responder Phone	561-682-7675	Response Date	07/09/2013
Response Code	<input checked="" type="checkbox"/> Verified As Reported	<input type="checkbox"/> Modify As Shown	<input type="checkbox"/> Delete Account
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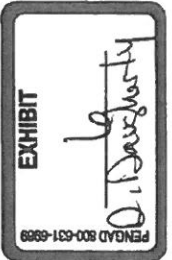
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Name	DAUGHERTY DAVID MAX	Name	DAUGHERTY DAVID
AKA/FN		AKA/FN	
Addr	35 VALLEY VIEW DR 35, VIENNA, WV 26105	Addr	35 VALLEY VIEW DR, VIENNA, WV 26105
Prev	PO BOX 816, PARKERSBURG, WV 26102	Prev	
SSN	232-04-9020	SSN	232-04-9020
DOB	12/14/1957	DOB	
Phone	304-295-6161	Phone	

Account Type	ECOA	Date Open	08/1999	Type & Rate	12311 PAID BY DEALER	Narratives	
08							
Credit Limit		High Credit	\$100813	Current Balance	Past Due		
Original Charge-Off		Date 1st Delinquency	09/2011	Last Payment Date	Date Closed		
Activity Designator	[1] Invalid activity design '1'	Creditor Classification		Purchased / Sold To Name / Original Creditor	Purchase Indicator	Mortgage Id Number	
Terms Duration	15	Term Frequency	[M] Monthly	Sched Monthly Pmt	\$1077		
Date of Account Info	09/2011	Pmt Hist Months 1-12	-DBEDDDDDDD	Pmt Hist Months 13-24	DDDDDDDDDD	Pmt Hist Months 25-36	000000322110
Consumer Info Indicator		Pmt Hist Months 37-48	112121100000	Pmt Hist Months 49-60	1111111DDDD	Pmt Hist Months 61-72	DDDDDD322211
Compliance Condition Code		Pmt Hist Months 73-84	111DD121B---				
Special Comment Code	[0] Account transferred to another lender						
Account Status	[11] Current account						
Payment Rating	[0] Current account						

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Page 7



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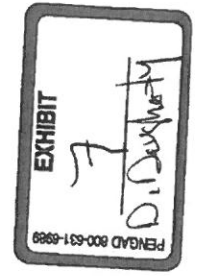
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Page 8

CRA Data List of Loan Number: 7092244537

SL No	Loan Number	Billing Date	Original	Revised	Consumer Name	Social Sec No	Street	Address 1	Address 2	City	State	Zip	Last Name	Account	Payment	Special	Compliance	Address	Amount Paid	City	State	Zip	Missing	# of Days Del	CRA Day
1	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
2	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
3	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
4	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
5	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
6	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
7	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
8	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
9	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
10	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
11	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
12	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
13	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
14	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
15	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
16	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
17	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
18	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
19	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
20	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
21	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
22	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
23	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
24	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
25	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
26	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
27	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
28	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
29	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
30	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
31	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
32	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
33	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405
34	7092244537	5/1/2014	O/Y		David Daugherty	***-**-8020	35 Valley View Dr			Vienna	VA	20182	Daugherty	11						Vienna	VA	20182		0	201405



CONFIDENTIAL

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

DAVID M. DAUGHERTY,

PLAINTIFF

V.

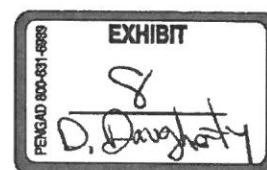
CIVIL ACTION NO. 5:14-24506

EQUIFAX INFORMATION SERVICES
LLC and
OCWEN LOAN SERVICING, LLC,

DEFENDANTS

PLAINTIFF'S RULE 26(a)(2) DISCLOSURE

Comes now the Plaintiff, David Daugherty, by counsel, pursuant to Rule 26(a)(2) of the *Federal Rules of Civil Procedure*, and files this Expert Witness Disclosure. Plaintiff discloses that he will identify Evan Hendricks for use at trial to present evidence. Attached to this disclosure is Mr. Hendricks' curriculum vitae, which includes his qualifications, including a list of all publications authored; a list of all other cases in which he testified as an expert at trial or by deposition; and a statement of his compensation to be paid for the study and testimony in this case. Mr. Hendricks has also supplied a report with all opinions he will express based upon the facts available to him at this date. Plaintiff will supplement this disclosure, pursuant to Rule 26(a)(2)(E) of the *Federal Rules of Civil Procedure*, with a complete statement of all opinions Mr. Hendricks will express and the facts and data he considered to form such opinions as soon as Plaintiff receives sufficient discovery responses to inform Mr. Hendricks' opinions from Defendants.




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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

DAVID M. DAUGHERTY,

PLAINTIFF

V.

CIVIL ACTION NO. 5:14-24506

EQUIFAX INFORMATION SERVICES LLC
and OCWEN LOAN SERVICING, LLC,

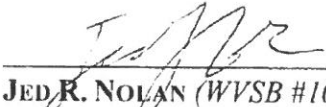
DEFENDANTS

CERTIFICATE OF SERVICE

I, Jed R. Nolan, counsel for Plaintiff, hereby certify that I have filed this **CERTIFICATE OF SERVICE** for **PLAINTIFF'S RULE 26(a)(2) DISCLOSURE** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants, and that I served a true and accurate copy of the entire document via electronic mail and via United States mail, postage prepaid, to each of the following on April 3, 2015:

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